



**REPUBLIC OF TURKEY
MINISTRY FOR EU AFFAIRS**

26th REFORM MONITORING GROUP MEETING

**Press Statement
Ordu, 8 June 2012**

- The 26th meeting of the Reform Monitoring Group, which was established in 2003, was hosted today in Ordu by İdris Naim Şahin, Minister of Interior, with the participation of Sadullah Ergin, Minister of Justice, Egemen Bağış, Minister for European Affairs and Chief Negotiator, Prof. Dr. Ahmet Davutoğlu, Minister of Foreign Affairs, and Afif Demirkıran, the Co-chairman of the EU-Turkey Joint Parliamentary Committee.
- High level officials from the Prime Ministry, Ministry of Justice, Ministry for EU Affairs, Ministry of Foreign Affairs and Ministry of the Interior have also participated in the meeting.
- “Positive Agenda” which was initiated through a kick-off meeting on 17 May 2012 has been discussed. Positive Agenda aims at accelerating the negotiation process on chapters that are politically blocked.
- Working Group Meeting on Chapter 23 (Judiciary and Fundamental Rights) was also held on the same day. This meeting was the first significant meeting exclusively on Chapter 23 held with the European Commission since 2006.
- At the working group meeting officials from DG Enlargement of the European Commission and relevant Turkish public institutions have participated. During the meeting the relevant EU legislation that entered into force since the screening meetings for Chapter 23 held in 2006 and the progress achieved by Turkey have been addressed.
- Prior to the working group meeting, Sadullah Ergin, Minister of Justice and Egemen Bağış, Minister for EU Affairs and Chief Negotiator, met with Stefan Füle, EU Commissioner for Enlargement and European Neighbourhood Policy on issues relating to Chapter 23.
- As Turkey, we expect the working groups to focus on the opening benchmarks and the Positive Agenda process to be carried out in a way that confirms the progress recorded by Turkey. The objective is to open or close as many chapters to negotiations as possible when the unfair political blocks are lifted.
- The drafting of the new Constitution, which is continuing with the support and participation of the civil society, has started as of May 2012. After the draft text is completed, it will be opened to public discussion. In this process the contribution of all groups of the society is of great importance.
- With regard to freedom of expression and freedom of press, the third Judicial Reform Package adopted by the Justice Committee of TGNA will be enacted soon. The package provides for new amendments for:

- postponing interrogations, trials and penalties concerning offences related to expression of ideas committed through press, media or other means;
- abolishing bans on broadcasting;
- repealing decisions taken to confiscate publications prior to 31 December 2012.

This package will be an important step taken in the area of the freedom of expression.

- The fourth Judicial Reform Package prepared by the Ministry of Justice is planned to be discussed in the Council of Ministers meeting on 11 June 2012. The Reform Package is expected to remedy matters regarding freedom of expression and freedom of press, which have led to the European Court of Human Rights (ECtHR) decisions against Turkey. The members of the RMG gave their full support for the enactment of this Reform Package as soon as possible.
- Submission of the draft Law on Compensations for Lengthy Trial Periods, Late or Partial Execution or Non-Execution of Court Judgments to the Parliament has been welcomed. The draft was prepared in order to address problems caused by lengthy trial periods and the resulting delay in the execution of judgements, which lead to applications to the ECtHR. It is expected that this draft law will be enacted soon.
- Law on Mediation in Legal Disputes, which is prepared to settle legal disputes before legal action is taken, was adopted by the Parliament on 7 June 2012. This law will ensure the decrease the workload of the judiciary and shorten the trial process.
- Judicial Reform Strategy and its Action Plan, which was adopted in 2009 and an important part of which has already been put into practice, is currently being updated based on recent developments. These documents will be shared with stakeholders after their completion.
- Justice Counsellors were appointed to Turkish Embassies in London, Berlin, Washington, the Hague and to the Permanent Mission of Turkey to the United Nations in New York and to the Permanent Mission of Turkey to the OSCE in Vienna on 18 May 2012, with a view to improving services for Turkish citizens abroad and providing accurate and complete information to the third parties and international organizations on the developments in the field of judiciary in Turkey.
- Ministry of Justice is preparing the Action Plan to Prevent Human Rights Violations.
- The draft Law on the Protection of the Personal Data has been revised by the Ministry of Justice and submitted to the Prime Ministry. The new draft legislation of the EU and the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data have been taken into consideration during the revision of the draft law. The draft is envisaged to be enacted soon in order to improve our cooperation with the EU in many fields, particularly in the areas of judicial cooperation and police cooperation.
- Draft Law on State Secrets, which was adopted at the TGNA Justice Sub-committee on 6 June 2012, is envisaged to be enacted soon.

- Legislative work to further develop institutionalization in the area of human rights has been welcomed. Draft laws regarding the establishment of the Ombudsman Institution, Turkish National Human Rights Institution, Supervisory Commission on Law Enforcement Officers and Anti-Discrimination and Equality Board, which are of great importance for ensuring institutionalization in the field of human rights, will be enacted without delay.
- Draft Law on the Ombudsman Institution submitted to the Parliament on 17 May 2012 was adopted at the TGNA Constitutional Committee on 7 June 2012. The draft Law is expected to be enacted in this legislative year.
- Draft Law on Turkish National Human Rights Institution was recently submitted to the Parliament and has been discussed at the Human Rights Inquiry Committee. The importance of the establishment of a Turkish National Human Rights Institution in line with the Paris Principles has been emphasized. The draft law was submitted by the Committee to the TGNA General Assembly on 7 June 2012.
- As part of Turkey's obligations arising from the ratification of OPCAT (Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment), it was envisaged that the Turkish National Human Rights Institution will fulfill the obligation regarding the establishment of a national preventive mechanism.
- The draft Law regarding the establishment of the Supervisory Commission on Law Enforcement Officers is currently at TGNA Internal Affairs Committee. It is expected that the draft law will be enacted soon.
- The developments regarding the draft Law on the Establishment of the Anti-Discrimination and Equality Board, which has been prepared by the Ministry of Interior, have also been discussed at the meeting. The draft law was prepared in order to ensure the effective implementation of the principle of equality and rule of anti-discrimination as stated in Article 10 of the Constitution and to prevent grievances caused by discrimination.
- The steps taken recently to address the problems experienced by the citizens of different faiths in Turkey have also been addressed. The Directorate General for Foundations has received applications from 32 foundations for 110 properties, pursuant to the amendment regarding immovable properties owned by groups/foundations of different faiths to the Law on Foundations which entered into force on 27 August 2011 by the addition of a provisional article. The decision of the Foundation Council to restitute 20 immovable properties and payment of compensation for one property has been welcomed.
- Legislative work on "Migration Management" within the scope of Chapter 24 on Justice, Freedom and Security is being carried out with determination.
- Efforts by the European Commission to facilitate the visa regime for Turkish citizens and alleviate problems that our citizens face when applying for the Schengen visa are closely followed.
- Turkey will initial the Readmission Agreement only if the Council gives the mandate the Commission to start negotiations on the visa liberalization process. Turkey will sign the Agreement when the detailed action plan with the ultimate aim of visa free regime is

prepared and submitted. Finally, the Readmission Agreement will enter into force simultaneously when Schengen visas for Turkish citizens are lifted.

- We expect that the EU will take the necessary step that is satisfactory for both parties. Our position on the issue was reiterated at the Turkey-EU Political Dialogue Meeting held on 7 June 2012.
- Ministry of Interior is working on a comprehensive policy and legislation on immigration and asylum. Within this framework, the draft Law on Foreigners and International Protection, which has been prepared with the participation of all relevant national and international parties, is currently at the TGNA Internal Affairs Committee. The importance of the enactment of this law has been emphasized.
- It has been agreed to complete without delay the work on the draft Law on the Fight Against Human Trafficking and Protection of Victims and submit the draft to the Prime Ministry.
- With the enactment of these draft legislation, measures will be taken in accordance with decisions of the ECtHR regarding immigration and asylum in Turkey.
- The work in the field of Integrated Border Management will be accelerated to ensure harmonisation with the EU acquis and practices. Within this framework, work is continuing on the draft Law on the Organization of the Directorate General for Border Security, which will constitute a basis for restructuring border management.
- As the aim of the Reform Monitoring Group is to monitor reforms in Turkey's EU accession process, RMG members decided that the agenda of the RMG also include other issues in addition to the ordinary agenda of the RMG meetings and that the relevant Ministers invited to these meetings.
- Within this framework, the 27th meeting of the RMG will be hosted in Bursa by Bülent Arınç, Deputy Prime Minister, aiming to discuss the developments in the implementation of the Law on Foundations.